

The Protection Ranger



The Newsletter of the U.S. Park Rangers Lodge, Fraternal Order of Police
www.RangerFOP.com

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A Call for Whistle-Blowers

As many of you know, Lodge Vice-President, Greg Jackson, testified last month before the Thomas Committee about the state of the National Park Service law enforcement program (the entire text was reprinted in last month's edition of *The Protection Ranger* and is now on the Lodge web site). That testimony covered a variety of subjects near and dear to the hearts of our membership, and by all accounts was extremely well received by the Committee.

Among the topics discussed in Vice-President Jackson's testimony was the critical need that exists within the National Park Service for the establishment of an independent internal affairs section, made up of experienced and credible NPS investigators. Such people would know how the Park Service works and would answer directly to the

Director (and the Department?). They would be free from the threat of interference and obstruction by local and regional managers or supervisors. We view such a unit as essential to the accomplishment of our law enforcement mission and equally essential to the accomplishment of our overall Service mission.

The absence of a credible internal affairs capacity in the NPS is a material weakness and failure. This weakness seriously compromises our ability to perform our mission... .

The establishment of a credible internal affairs capacity within the NPS could, in very short order, have enormous positive impacts on virtually every work unit and every division and branch of the NPS, including resource management, maintenance, interpretation, administration, and law enforcement. We also believe that such a capability is the only way to restore credibility to NPS management, and reverse the long-established tradition of ignoring law and policy whenever it serves the needs of supervisors, superintendents, regional directors, and other managers.

Toward that end, we need your help and the help of every NPS employee:

FOP member or not; protection ranger or otherwise.

Effective immediately, we are beginning an effort to compile files on incidents or actions that demonstrate the need for a separate, Washington-based, centrally managed and supervised internal affairs component of the NPS. We need your help and the help of your colleagues in every division to compile these files, which we hope to be able to present to our representatives in Congress.

It is not our intent to "indict" or embarrass anyone or any park or region. Nor do we want to independently investigate incidents that are reported. It is, though, our intent to document – and then demonstrate to Congress – that the absence of a credible internal affairs capacity in the NPS is a material weakness and failure. This weakness seriously compromises our ability to perform our mission in a professional manner, eroding the trust that the Service should command from its employees and the public.

We would like to hear from you if you have information (including anecdotal), copies of reports, or other documentation about incidents or events within the NPS relating to any of the following:

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- Disregard for laws and policies, including environmental laws such as NEPA and ARPA.
- The transmission of illegal orders by supervisors or managers, or the existence of standard practices that violate Departmental or NPS policy.
- Management-directed falsification of reports or other official documents (including omission of relevant information).
- Obstruction of investigations or legitimate law enforcement actions.
- Clear violation of employee or citizen's rights.
- Cover-up of misconduct.
- Incidents where management action or inaction has allowed the continuation of misconduct, and/or further victimization.
- Failure of existing internal investigation "systems", including clear conflicts of interest, mishandling of investigations or failure by management to take appropriate corrective action.
- Reprisal against those who have reported misconduct.

Individuals wishing to support this effort may submit information either anonymously or signed. Information and/or accounts of incidents will be accepted in any form, including copies of actual reports, and/or written summaries of incidents and/or actions.

Remember, however, that information received will need to be sufficiently detailed to allow for independent verification of the matter reported. This will generally mean inclusion of some reference to locations, dates, witnesses, and responsible parties (even if only by position title). Also helpful would be specific mention of other investigative leads or sources that can help corroborate the report. We want to hear about all serious incidents or

actions that can help us to make our case, however old or recent.

Where possible, we would like to see submissions presented in a neat, well-written and organized manner, that lends itself to a ready grasp of the facts, circumstances, and parties involved. Incident/action summaries accompanied by supporting documentation would be particularly helpful. To the extent practicable, we will use information *as received* to present in support our efforts to convince Congressional representatives and other officials that the NPS must be compelled to break the monopoly on power held by superintendents, regional directors, and other managers; and yield to a reasonable system of checks, balances, and oversight.

Please submit information to:

**U.S. Park Ranger's Lodge
Fraternal Order of Police
POB 151
Fancy Gap, VA 24328**
Or
RandallFOP@ls.net

Do You Want Fries with that HAZWOPER?

Hank J. Brightman, Ed.D.
Criminal Justice Program
Coordinator
Saint Peter's College

In his famous patriotic speech of 1941 held in New York's Central Park, former Secretary of the Interior Harold Ickes admonished "Destroy a whole generation of those who have known how to walk with heads erect in God's free air, and the next generation will rise against the oppressors and restore freedom" (Safire, 1997, p. 60). Fast forward three generations to the current harvest of National Park rangers, and one is faced with an interesting dilemma: How can today's rangers rise up against the

"oppression" of short-sighted management policies and backdoor law enforcement program governance – and restore the agency to glory – when "God's free air" is rife with the dusts, mists, fumes, and vapors of solvents, thinners, paints and petroleum derivatives present in the maintenance shops and firing ranges of many NPS facilities?

***"Destroy a whole
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**Harold Ickes, Secretary of the
Interior, 1941**

For more than ten years, the Occupational Safety and Health Administration (OSHA) has maintained stringent requirements for personnel assigned to interact with hazardous wastes on either an emergency or long-term basis. These regulations are found at Title 29 of the Code of Federal Regulations, Part 1910, Section 120. The regulations are often referred to holistically as OSHA's "Hazardous Waste Operations and Emergency Response," or "HAZWOPER" provisions. Yet despite these regulations, the annals of NPS history are replete with incidents of emergency services personnel assigned to "clean up" containers of unknown substances that have washed up on Interior's beaches, or respond to the scene of a fuel oil spill located in the parking area adjacent to the Visitor Center.

Perhaps the most heinous example of an alleged violation of OSHA's HAZWOPER regulations involved

several rangers at a large midwestern park. Under direct orders from management, and with no prior training or personal protective equipment, rangers were sent to "check out" a report of leaking, oozing, and bulging 55-gallon drums located on a newly-acquired piece of property (why the National Park Service felt it was imperative that the agency purchase land with clear and present signs of severe contamination will be the subject of a later article). Upon arriving at the scene, the rangers were taken aback by the potpourri of chemical odors, the unusual, prism-like combination of colors staining the soil, and the beyond-rust-eaten condition of many of the containers located on site. Almost immediately these personnel began to experience dizziness, nausea, headaches, rashes, and the myriad of other symptoms that often accompanies acute chemical exposure.

To be fair, senior management officials within the National Park Service have made (albeit sporadic) efforts to provide law enforcement and emergency services personnel with limited training and equipment in the area of HAZWOPER compliance. In 1992, the former North Atlantic Region established the Hazardous Materials Management & Waste Enforcement (HMMWE) Unit, which was tasked with providing training and technical assistance in the areas of hazardous materials handling, emergency spill response, waste site remediation, and fuel storage tank management to the more than forty-eight National Park units located from Maine to New Jersey.

During its operation from 1992 through 1995, the HMMWE Unit allocated more than \$2 million to the above-mentioned activities. The majority of funds were used to provide "Awareness Level" (8-hour) and "First Responder Operations Level" (24-hour) training and

equipment to National Park Service employees located within the region, and to encourage intra-regional training for law enforcement and emergency services personnel pursuant to HAZWOPER.

The HMMWE program was eliminated in 1995 as part of "NPS Reorganization," a scheme to fix the National Park Service, masterminded by a former Director who allegedly wore bedroom slippers to his strategic planning sessions with senior agency officials. For those rangers who entered on duty after reorganization, perhaps Dante explains the process best in his description of the seventh circle of Hell "I heard cries of lamentation rise and spill on every hand...in all that waste; and puzzled I stood still" (Ciardi, 1954, p. 119). Subsequent HAZWOPER training efforts included a "train-the-trainer" initiative in 1996 undertaken by the former Hazardous Waste Operations & Pollution Prevention Team within WASO's Park Facility Management Division (the team has since been eliminated), and a failed effort to develop a network of community college-based emergency spill response training centers throughout the United States.

Most recently, Captain Alan Schroeder, a commissioned officer of the United States Public Health Service has been permanently assigned the task of coordinating HAZWOPER training efforts for the National Park Service. Captain Schroeder supported both the former North Atlantic Region's HMMWE Unit (1992-1995), and WASO's Hazardous Waste Management and Pollution Prevention Team (1996-1998) in an adjunct teaching capacity. During his tenure with the NPS, Captain Schroeder has facilitated "First Responder Operations Level" (24-hour) training for more than 540 law enforcement and emergency services personnel (including 50 United States Park Police officers) and secured an annual

training budget of approximately \$225,000. An additional \$25,000 per year has been provided to each region to conduct annual HAZWOPER "operations level" instruction and eight-hour awareness/refresher training. He is also currently trying to resurrect the community college training network initiative.

While recent efforts by NPS senior management to promote adherence with OSHA regulations pertaining to Hazardous Waste Operations and Emergency Response are laudable, more needs to be done to protect the health and safety of one of the National Park Service's most treasured resources: its law enforcement personnel. Specifically, the following recommendations should be considered:

- Develop a law enforcement guideline that parallels United States Park Police General Order Number 2317 "Hazardous Materials." This USPP directive has been in place since January 21, 1985.
- Ensure that all NPS law enforcement and emergency services personnel receive a minimum of eight hours of "awareness" level training as part of their annual law enforcement refresher requirement. At present, less than six personnel per park possess an awareness or operations level HAZWOPER certification, and the majority of these employees are maintenance staff.
- In addition to providing requisite training, provide law enforcement and emergency services personnel with appropriate respiratory and dermal protective equipment (e.g., gloves, goggles, coveralls, etc.) needed to ensure their health and safety when responding to fuel oil spills, "midnight

dumping" incidents, and coastal beaching of containers.

Only through a concerted effort between law enforcement field personnel, support office hazardous waste coordinators and the WASO HAZWOPER Program Manager can the National Park Service ensure that former Secretary Ickes aspiration of an agency striving towards greatness is realized.

Dr. Heath "Hank" Brightman spent more than eight years with the National Park Service as a Law Enforcement Ranger, Chief Park Ranger, HMMWE Unit Coordinator for the North Atlantic Region, and Environmental Protection Specialist in WASO. He subsequently served as a Criminal Research Specialist with the United States Secret Service. Most recently, he began service as an Assistant Professor and Coordinator of the Criminal Justice Program at Saint Peter's College—the Jesuit College of New Jersey located in Jersey City.

Lodge News Release: Park Rangers Name America's 10 Most Dangerous National Parks

Blue Ridge Parkway National Park (Virginia), May 17, 2001

National Park Rangers have named the **10 Most Dangerous National Parks** for 2001. The National Park Rangers Lodge of the Fraternal Order of Police, the nation's largest organization of law enforcement rangers performed the survey of National Park safety and developed the list to increase awareness of the risks to rangers and the public. Rangers perform law enforcement,

emergency medical service, and fire fighting in National Parks.

The National Park Service, in a report to Congress, has called for over 600 new ranger positions to restore staffing levels to meet safety needs.

The **10 Most Dangerous National Parks** list assesses the potential for loss of life to law enforcement rangers and the public based upon the number and type of crimes in a park, the lack of rangers on duty, the lack of back-up for rangers, and poor communications and equipment for emergency responders.

National Park Rangers are more frequently assaulted than any other federal law enforcement officer, according to National Park Service statistics. Three rangers were killed in the line of duty in the last decade.

The 10 Most Dangerous National Parks:

1. *Organ Pipe Cactus National Monument* (Arizona) The park is so dangerous that it is used as a training ground for special operations teams, interdicting drug smugglers from Mexico.
2. *Yosemite National Park* (California) High visitation and a major cutback in ranger staff levels put rangers, resources, and the public in jeopardy.
3. *Shenandoah National Park* (Virginia) In one of America's busiest parks, rangers can't communicate thanks to a radio system that is so old that spare parts are hard to come by.

4. *Padre Island National Seashore* (Texas) Almost every night illegal aliens and drug runners move through the park after the rangers go home.

5. *Big Bend National Park* (Texas) Too few rangers and too much crime means rangers are so overworked they don't answer the phone at night so they can get some sleep.

6. *Boston National Historic Park* (Massachusetts) Cuts in law enforcement of over 50 percent mean things are so unsafe that police cars are stolen there.

7. *Lake Mead National Recreation Area* (Nevada/Arizona) After ranger staffing cuts, only one of the six park structural fire engines have enough fire fighters available to be able to respond to a structural fire with a minimum crew.

8. *Grand Canyon National Park* (Arizona) The National Park Service refuses to pay rangers to stay overnight at the bottom of the Grand Canyon to protect the hundreds of tourists who hike or raft to the bottom of the canyon – at night the public is on their own.

9. *Gateway National Recreation Area* (New Jersey) The park's Sandy Hook area routinely uses one ranger at night to provide police and emergency medical service to an expanding in-park community.

10. *Saguaro National Park* (Arizona) When the rangers go home at night, the park becomes home to body dumping, smuggling, and poaching.

"Many park visitors would be surprised to find that there may not be a law enforcement officer available to

them at night in most National Parks," said Randall Kendrick, Executive Director of the ranger organization. "If there's an emergency, either a medical emergency or law enforcement, there is no immediate help. Usually the rangers have to be called out from home.

"The criminals know this. That's when cars are broken into. Historic battlefields are looted at night when no rangers are working. Even park employees plan their morning commutes to get to work before the rangers come on and begin traffic enforcement," said Kendrick.

The National Park Service, in a report to Congress, has called for over 600 new ranger positions to restore staffing levels to meet safety needs. A study by the International Association of Chiefs of Police last year verified this figure as a minimum needed for a safe workplace.

An Overview of the Ten Most Dangerous Parks:

1. *Organ Pipe Cactus National Monument* (Arizona): The park is so dangerous the Park Service uses it as a training ground for tactical operations, where rangers in camouflage with assault rifles and night vision equipment monitor the border to protect the park, and park visitors, from an onslaught of drug traffickers.

A summary of incidents Organ Pipe Cactus from March and April 2001 includes the following:

- *March 11th* Rangers saw a Ford Bronco exiting the desert near milepost 78 on Highway 85. They attempted to pull it over, but the driver declined to stop and fled south at a speed of about 80 mph. The Bronco cleared a ditch on south Puerto Blanco Drive, but became stuck in the same ditch when the driver turned around

and headed back north. The vehicle contained ten undocumented aliens. The driver was cited for driving violations. The Border Patrol is pursuing felony charges against him.

- *March 11th* Four vehicles were seen in the desert west of Highway 85 near milepost 78. Rangers used tire spikes on the first of the four and found drugs in it. The occupants fled on foot to Mexico. The second vehicle stopped in a wash, its occupants also fled to Mexico, as did the other two vehicles. Rangers seized over 830 pounds of marijuana, a Chevy Tahoe, and an Isuzu Trooper and turned them over to the Border Patrol.

- *March 22nd* A Ford Taurus was seen driving from the desert onto Highway 85. The information was passed on to Border Patrol agents, who later stopped the vehicle and seized 185 pounds of marijuana.

- *March 24th* Rangers saw two vehicles in the desert between the campground and the border with Mexico. One was stopped; the other failed to stop and tire spikes were used after a high speed chase through the park. Thirteen undocumented aliens were apprehended and turned over to the Border Patrol.

- *March 26th* The Border Patrol set up a checkpoint just north of the park. Rangers reported that as many as 70 vehicles turned around just short of the checkpoint and returned to Mexico. This operation also caused a dramatic reduction in the number of vehicles being driven in the park's wilderness areas. Foot traffic through the park increased, though, in an effort to circumvent the checkpoint.

- *March 27th* A ranger found 25 pounds of marijuana hidden in the brush on Highway 85.
- *April 8th - 17th* An eleven-day interdiction operation was conducted using a tactical team of rangers. They seized 325 pounds of marijuana in one incident, but the backpackers carrying it fled back into Mexico. The rangers also counted over 1,000 undocumented aliens traveling on two of the many illegal trails through the park.
- *April 11th* Border Patrol agents notified rangers that they'd stopped an unlicensed driver with no insurance. The driver was cited. He was shuttling undocumented aliens from the border to a spot just south of the new Border Patrol checkpoint on Highway 85.
- *April 14th* Rangers saw a heavily loaded van leave the visitor center parking lot. When they followed, the driver pulled off the roadway and left it there with its engine running. Seven undocumented aliens also exited and fled into the desert.
- *April 17th* Two rangers parked on Pozo Nuevo Road and got out of their cruiser to look at a snake. An unidentified van that was thought to be involved in smuggling approached at a high rate of speed. Upon seeing the cruiser, the van accelerated, then struck and broke the patrol vehicle's open side door off its hinges. The van nearly overturned, but the driver was able to keep it going and made it to Mexico. Neither of the rangers was hurt.
- *April 24th* A park ranger and a Fish and Wildlife Service agent tracked down a group of seven undocumented aliens who were

resting in a wash. After detaining four of them for the Border Patrol, the agent became dehydrated (the temperature was near 100 degrees) and needed medical assistance. He was flown out to a hospital by a DPS helicopter and recovered.

- *April 29th* Border Patrol agents notified rangers that four vehicles were being driven through the desert and that they were going to attempt to stop them. Three fled back toward Mexico at a high rate of speed. Rangers attempted to road spike the tires on one of the vehicles, but the driver successfully avoided them. Two of the three vehicles made it to Mexico, but one got stuck in a ditch. The two occupants fled across the border. The vehicle contained about 350 of marijuana. The fourth vehicle probably continued north on a new road made through the park by smugglers to circumvent the Border Patrol checkpoint on Highway 85.

2. *Yosemite National Park* (California) An audit by the General Accounting Office showed that rangers attempting to fight a fire in the park's famed Awahnee Hotel faced danger from lack of basic firefighting equipment. So few rangers are on duty that the park service chose to eliminate its ambulance service in Yosemite Valley. A private contractor has moved in.

2. *Shenandoah National Park* (Virginia) One of the busiest parks in the National Park system is also one of the riskiest for park rangers due to an antiquated radio system that puts them, and the public, at risk. In fact, one radio tower is so old and cracked the technicians will no longer climb it to repair it. Parts for the radio system are difficult to obtain because the equipment is antique.

Because of the obsolete radio system, rangers on patrol in the remote backcountry cannot report fires or emergencies, or call for help. The park's busiest areas are also radio dead zones where rangers are unable to communicate with the dispatch center. The law enforcement staff goes home at midnight most nights during the busy summer season, even when the campgrounds are full and busy. If there is an emergency, one ranger gets called from home to respond. The park's emergency vehicle fleet is so old, it takes old cars discarded by other parks and activates them as emergency vehicles.

4. *Padre Island National Seashore* (Texas) Rangers begin their day at 7 a.m. without a dispatcher, and begin their search for remnants of the drug and undocumented alien traffic over 60-plus miles of beach from the previous night. Smugglers know that the rangers go home at night, leaving the coast clear for criminal activity. Rangers work alone on the seashore for up to 4 hours a day.

5. *Big Bend National Park* (Texas) The park often has only one ranger on duty, with back-up over 30 minutes away. The few rangers on staff are so overworked they frequently don't respond to after-hours calls. 911 calls made to the park go to a town 150 miles away and are frequently misrouted, delaying help.

6. *Boston National Historic Park* (Massachusetts) Cuts in law enforcement personnel have made life dangerous for rangers, and placed historic landmarks at risk. In 1992, the park had 24 law enforcement personnel. Today the number is 10, three of whom are supervisors. This means that after midnight, the US Navy's oldest vessel, the USS Constitution, is unprotected. If there is a problem, the dispatcher has to call a ranger from home to respond – if they can find one. The typical minimum time to an emergency response is 15

minutes or more in an area of Boston that experiences over 1,000 felonies a year.

Law enforcement is so sparse that a marked police vehicle supposedly protected by the NPS was stolen. Rangers often patrol alone, yet they've been attacked with hypodermic needles, and clubs and have gotten into fights with drug suspects on several occasions.

Drug activity continues unchecked day and night at the Bunker Hill National Monument and Dorchester Heights National Monument, where the park has had gang turf wars and a cross burning.

In Boston, too much crime and too few rangers are adding up to burnout. In 2000, two rangers worked more than 600 hours of overtime – an average of 11.5 hours every week all year.

7. *Lake Mead NRA* (Nevada/Arizona) *Outside* magazine once called Lake Mead the park where visitors were most likely to find a body, due its high crime rate. It is named to the list, however, because of its structural fire program. The park has six fire engines, but usually only one can leave the station with enough people to meet national safety standards (The NFPA, the organization that sets such standards requires 4 persons in an engine). Most ranger-firefighters are working in protective clothing given second-hand to the park in the mid 80's, and it was worn-out them. Many of the fire engines are aging in the desert heat, with more and more pump failures, tank failures, mechanical problems due to a lack of regular maintenance. Engines go out of service for extended periods, leaving no fire protection within 20-30 minutes or more to residential areas and motels in the park.

8. *Grand Canyon Corridor District* (Arizona). For decades rangers

staffed the ranger station at the bottom of the Grand Canyon 24 hours a day, 7 days a week. This has ended. The Park Service has refused to pay travel pay to the rangers living there as required by law, so they now hike out of the canyon at night, leaving over 170 campers at the three campgrounds without emergency medical or law enforcement assistance. Now the nearest assistance for those at canyon bottom is a 45 minute helicopter flight away, or a hike of over two hours from the canyon rim at night or in inclement weather when helicopters can't fly. The park averages 9 such after-hours emergency calls per week in the summer.

9. *Gateway National Recreation Area* (New Jersey) The number of law enforcement rangers in the park's Sandy Hook area has declined steadily since 1995, yet the park has added new businesses and residents and promised 24-hour police and medical coverage. Little do the residents know that this coverage is one ranger working alone at night. If that person calls in sick, there is often no protection at all. Ranger supervisors only work during the day, so night and graveyard shifts go unsupervised.

Fire protection is also dangerously lacking. This includes protection for many overnight facilities and special needs populations in the park including a scout camp, environmental education center, Coast Guard and NPS housing, the Monmouth County Office of the Aging, the Association of Retarded Citizens house, the Girl Scouts house, housing for children with AIDS, and others. The surrounding towns rely on a volunteer fire department that calls firefighters from home. The number of structural fire trained rangers has also dropped, and some of them don't live in the park. Regular fire training is not conducted.

10. *Saguaro National Park* (Arizona) Rangers often work alone, with unreliable communications with their dispatch. One park road, Sandario Road, is a heavily used corridor for narcotics and illegal alien trafficking. Sandario Road also has been used to transport homicide victims from the drug trade. In 1996 a ranger chased one such vehicle (containing 2 bodies) and was rammed by the suspect vehicle before the suspects crashed and fled on foot.

Within the last three months, the park has had one ranger working alone on this road at night become involved in two serious incidents. In one, the ranger, chasing illegal aliens after a vehicle "bailout" was assaulted by an illegal alien who pushed the ranger's head into a cholla cactus. In another case, the same ranger had a vehicle pursuit that ended with approximately 15 illegal aliens attempting to escape. A short foot pursuit occurred that ended with the ranger sustaining a minor shoulder injury, after falling into a ditch with a subject. In both cases, the ranger was working alone. In both cases, ranger's backup was an off-duty ranger being called to respond from his park residence.

In a 1997 case, a female juvenile was shot to death in the park at around 11 p.m. while the single patrol ranger was patrolling elsewhere. Reptile poachers are hitting the park hard in the day and evening hours. Park staff find dead rattlesnakes (with the rattles cut off) in the mornings, and have received many accounts of snakes and reptiles being collected from park roads.

Secretary's Notes: Lodge Considers Suit for Back-Pay Interest

Your US Rangers Lodge is considering a lawsuit against the Dept. of Interior to recover money owed to rangers. When rangers receive their

credit for past qualifying 6[c] service, their back-pay under the Federal Law Enforcement Pay Reform Act of 1990 should be computed and paid to the ranger. Even when this is done, we have found that interest that has accrued is not paid. This seems to be contrary to the OPM regulations for claims against the government.

The law firm of Passman & Kaplan is handling the case under the direction of one of the senior partners, Ed Passman. There will be no costs or obligations to any FOP member. Only a few rangers will have to be named and they will be agents in the legal sense for the entire class of rangers owed this money. Only rangers owed more than \$10,000 will have to be named individually and then in a different legal venue. If you received your settlement after July of 1995, you are probably owed money. Those who received settlements prior to this date are out of luck because of the six year statute of limitations that governs these claims.

The Federal LE Pay Reform Act went into effect at the first pay period of 1992. Rangers should have received extra pay then but since the NPS was hostile to the idea of park rangers receiving the enhanced annuities that other federal law enforcement officers and firefighters take for granted, we did not get that pay. This pay differential was based on whether or not the officer or firefighter was covered under the 6[c] retirement program. After cases sponsored by the US Ranger Lodge (and put together by Passman and Kaplan) won before the Merit Systems Protection Board, and the Office of Personnel Management, acceding to Lodge urging, sent all 6[c] cases back to the Dept of Interior, rangers generally were entered into the 6[c] system in July of 1994.

This means that, in addition to other changes, they started getting pay additions under the Reform Act.

Rangers who have recently gotten approval for their 6[c] time are only now getting the back-pay while being denied interest. It is for these rangers that the suit is intended to help. We feel the awards should range from the hundreds of dollars to a few thousand dollars per ranger. The law and regulations governing procedures in this matter are: 5USCA 5301, Federal Law Enforcement Pay Reform Act; 5CFR Part 178, Procedures for Settling Claims; 178.101, Scope; 178.102, Procedures for submitting claims; and, 178.104 Statutory limitations on claims.

Are you eligible for back-pay interest? Would you be willing to be named as an agent? If so, contact the Lodge. Note: If you are a BLM ranger and are owed back-pay, would you please contact the Lodge at: randalfop@ls.net
800 407 8295
Randall Kendrick
Executive Director

Key Ruling on Investigations

The U.S. Court of Appeals for the Sixth Circuit has issued an opinion that could help shape how agencies investigate allegations against employees. The court, in *Cardamone v. Cohen*, rejected an argument that by interviewing numerous fellow employees, investigators violated the Privacy Act requirement to collect information "to the greatest extent practicable" from the subject of the probe. The court said that requirement applies where the allegations being investigated are objectively verifiable but not where the allegations are "inherently subjective and impossible to establish through empirical evidence."

Correction to Address

The new address for the CUVA FOP is:
Cuyahoga Valley NP/FOP
P.O. Box 103
Peninsula, OH 44264-0103

In other news: CUVA has yet to implement the medical standards as our Union is working with Management on implementation procedures. Union membership by the Ranger Division has skyrocketed here!

Letter To The Editor

Editor:

I was sitting here doing some thinking. I was trying to compare and contrast the LE program with the fire program. At the recent annual fire refresher (which is now mandatory to get your red card), I was given a new fire line handbook and some small yellow incident guide notepad. Both are really excellent resources. Just handed out to any and all who may want one.

What I was thinking was, why isn't there some mandatory LE safety refresher on an annual basis. Sure, we have 40 hour refreshers but since rangers are getting killed on duty just like fire fighters and NPS is on a HUGE safety kick, why not an annual LE ranger safety refresher? Make a NATIONAL program so it's the same in all parks - not park by park. Put out a neat little handbook or notepad guide like fire has. Have in it things like the 10 fatal errors in LE, Traffic stop, felony stop guidelines, DUI info, etc.

I don't think I have ever been to a NPS LE safety class where things like terminal ballistics, performance of various body armor, actual data from NPS records on assaults and killed in line of duty data is shared. WHY ?

Fire has everyone in the computer as to what their quals are. LE has none of that data. There are rangers with different levels of fire, EMS, and LE skills and no way to track that data. There should be a database of who is a CI, PT instructor, ARPA, environmental crimes trained, etc.

I think the reason is there is a general lack of national leadership in the ranger division. Why are some parks using CIRS and some not? What will replace CIRS when a ccMail upgrade won't support it anymore? There needs to be national solutions to this and other problems. Accountability for parks that try to do their own thing outside of what's reasonable and within standards.

I know that some of this is repetitious from the IACP report and what most LE field rangers already know. We need to step up to the plate and do our part. Only problem is no one seems to know where the plate is... .

Matt Stoffolano

FOIA Requests by Lodge

Dear Mr. Ring

It has been six months since the release of the IACP report, and the NPS has not enacted a single recommendation.

This is clearly a sign of the same management problems and lack of leadership that the IACP was so critical of.

Your predecessor decided to implement one IACP recommendation before the report was released because, according to the Morning Report, the idea was so good, and the need to do it so urgent. That idea was merely the movement of the training budget.

We find many of the recommendations in the report to be much more urgently needed for life safety than this, yet you have enacted absolutely nothing in SIX MONTHS. Yes, we realize that you did create an "implementation team." But the result of this has been zero implementation.

What is needed is courage, leadership, and the will to do what is right.

We ask that if you plan to act on the report, you do it during or prior to National Police Week in May, in memory of the fallen rangers of this agency. Lack of progress by this date will be a clear sign to the field of your intentions.

Sincerely,
Randall Kendrick
Executive Director

Bill Proposed to Grant 6(c) to All Federal Officers

Editor's note: The Lodge will work to make sure that park rangers are in this bill. The Bill will ensure our 6(c) can't be taken away by the Agency politically and it will help resolve the backlog of retirement cases.

U.S. Rep. Bob Filner (D-Calif.) called for passage of his proposed legislation that would extend law enforcement status to thousands of federal employees whose principal duties involve law enforcement, according to a press release.

Under the Filner bill, which is being introduced during National Police Week, Immigration and Naturalization inspectors as well as Customs inspectors and police officers from the Department of Veterans Affairs, Department of Defense and Federal Protective Service and Canine Enforcement Officers, as well as IRS Revenue Officers and some other federal officers, would be granted law enforcement officer status – a designation widespread among members of the federal law enforcement community – and would be eligible for 20-year retirement.

In his remarks Filner said in agencies where law enforcement officers do not have LEO status, there is a consistent loss of trained, seasoned professionals to other law enforcement agencies, both in government and the private sector.

National Treasury Employees Union President Colleen M. Kelley told a Capital Hill press conference that passage of the Filner legislation is crucial not only for the safety of the officers, but for the public as well. "Every day, the men and women who hold these jobs face enormous physical challenges and constant emotional stress," Kelley said. "Enforcing the laws they have sworn to uphold regularly exposes them to the threat of injury or even death."

BLM Proposes GS-11 Journey Level For Rangers

On April 25, the Bureau of Land Management released a benchmark position description for journey level rangers that grades them at the GS-11 level, with the primary duty as law enforcement:

From: Chief, National Law Enforcement Office (BLM)

Subject: Proposed New Standard Position Description for Law Enforcement Rangers

DD: 05/25/2001

The California State Office has proposed a new standard position description (SPD) for the position of Law Enforcement Ranger, GS-1801-11. In addition to the standard law enforcement duties, this SPD identifies additional duties for Field Training Officer, Canine Officer, resource management, and intelligence gathering.

Curiously, but not surprisingly, at the same time the NPS was circulating an

email regarding how law enforcement did not qualify rangers for GS-9 pay according to a western park superintendent (it was the education component that was grade enhancing.) This position, of course, was thoroughly shown as incorrect over a year ago by Paul Berkowitz, and is available to members on the Lodge web page.

The BLM looks like it agrees with Paul's and the Lodge's assessment. If someone tries to tell you that the only reason you are a GS-9 is because of the education component of your position, feel free to educate them.

What will happen to NPS rangers if the BLM journey grade is at GS-11? Years ago when the BLM grade was GS-9 and the park service was GS-7, many people transferred agencies. With the NPS at the beginning of a major loss of senior law enforcement managers due to retirement, the agency would be hard hit if forced to deal with a personnel squeeze at both ends of the staffing spectrum.

Clearly, with the lack of action on implementing the IACP report, and lack of action on hiring a chief ranger, there is no positive sign to think the NPS, on its own, will consider joining the BLM in its personnel initiative.

E-ProRanger: Receive email updates between issues of the Protection Ranger. Sign up by sending an email to randallfop@ls.net requesting to be put on the mailing list. This is a free service of your Ranger Lodge.

Lodge Website

Brother Duane Buck has built and maintains the Lodge Website. We keep it updated with notices and links to other sites that we think are interesting and/or helpful to resource based law enforcement officers. Visit it often between issues of the Protection ranger to keep current on things that affect you and your job. The address is: www.rangerfop.com

Application for Membership

I, the undersigned, a full-time regularly employed law enforcement officer, do hereby make application for active membership in the U.S. Park Rangers Lodge, FOP. If my membership should be revoked or discontinued for any cause other than retirement while in good standing, I do hereby agree to return to the lodge my membership card and other material bearing the FOP emblem.

Name: _____

Signature: _____

Address: _____

City: _____

State: _____ Zip: _____

DOB: _____

- Permanent Rangers: \$52/year
- Seasonals and Retired Active Members: \$35/year
- Associate (non-Commissioned) Membership (Newsletter only): \$35/year

Renewals: You do not need to send in this form to renew. Enclose a copy of your Commission (new members only).

Agency & Work Unit: _____

Mail to: FOP Lodge, POB 151, Fancy Gap, VA 24328

Phone: 1-800-407-8295 10am-10pm Eastern Time

Email randallfop@ls.net



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